



**Policy:** 1161  
**Procedure:** 1161.01  
**Chapter:** Inspections and Investigations  
**Rule:** Criminal Investigations

**Effective:** 5/7/08  
**Replaces:** 1160.02  
**Dated:** 08/22/06

### **Purpose:**

The Arizona Department of Juvenile Corrections (ADJC) Criminal Investigative Unit (CIU) assigned to Inspections and Investigations Division (IID) and/or the local law enforcement agency shall conduct the criminal investigation in response to allegations of criminal misconduct involving juveniles, employees, volunteers, interns, and service providers under contract with ADJC.

### **Rules:**

1. **CRIMINAL INVESTIGATORS** assigned to the CIU for the purpose of investigating offenses, apprehending offenders, recovering stolen property, and facilitating prosecution shall be Arizona Peace Officer Standards and Training (AZPOST) certified sworn police officers.  
**CRIMINAL INVESTIGATORS** shall:
  - i. Investigate assigned cases to the fullest extent possible;
  - ii. Make reports that reflect case activity, i.e., case status, arrests made, etc.; and
  - iii. Comply with the IID Case Management program in retaining cases for investigation and appropriate documentation.
2. **Crime Scene Management:**
  - a. The **FIRST YOUTH CORRECTIONS OFFICER (YCO)** on the scene of a major crime or serious accident involving a criminal activity shall take the necessary precautions to preserve the scene and potential items of evidence:
    - i. The **FIRST YCO ON THE SCENE** shall be in charge of the scene until the arrival of any YCO of supervisory status at which time the **SUPERVISOR** shall automatically assume control of the scene;
    - ii. If the **FIRST OFFICER ON THE SCENE IS AN OFFICER OF SUPERVISORY STATUS, S/HE** shall be in charge of the scene until the arrival of a higher-ranking supervisor or until s/he is relieved.
  - b. The **HIGHEST RANKING OFFICER** at the scene shall be the supervisory authority for the scene until relieved of that responsibility by a higher ranking officer and/or the assigned Investigator;
  - c. In cases involving serious crimes (death, serious bodily injury, or other crimes of serious impact), the **HIGHEST RANKING SUPERVISOR ON DUTY** shall respond as soon as possible to the scene and assume management responsibilities. The **MANAGER ON SCENE** shall contact the Director and the IID Administrator or their designees;
  - d. **IID ADMINISTRATOR OR DESIGNEE** shall assign investigators to respond to the scene.
3. **Preliminary Investigations:**
  - a. **YOUTH CORRECTIONS OFFICER (YCO)** will normally be the first to respond to an incident.
    - i. Under normal circumstances, the **YCO** shall conduct a preliminary investigation by gathering field information relative to the incident which could include the following:
      - (1) Observing all conditions and events, and noting all remarks at the scene;
      - (2) Locating and identifying witnesses;
      - (3) Preserving the scene and protecting evidence;
      - (4) Interviewing the complainant and all witnesses;
      - (5) Arranging for and/or collecting all evidence;
      - (6) Writing an accurate and detailed Incident Report (IR).
    - ii. **IID INVESTIGATORS** shall conduct a follow-up investigation, if needed.

4. **Follow-up Investigations:**

- a. The **IID CRIMINAL INVESTIGATOR ASSIGNED A CASE FOR FOLLOW-UP INVESTIGATION** shall thoroughly and completely investigate that case with the intent to clear it from the records.
  - i. The investigative procedures used will vary from case to case depending on the circumstances and accepted case management practices.
- b. **IID CRIMINAL INVESTIGATOR ASSIGNED A CASE FOR FOLLOW-UP INVESTIGATION** shall use the basic steps in conducting a follow-up investigation which are as follows:
  - i. Review and analyze all previous reports prepared in the preliminary investigation if applicable and relative to the investigation.
    - (1) Information Development:
      - (a) Analyze all reports prepared in the preliminary investigation;
      - (b) If statements were made or taken, review these for completeness, consistent facts, and possible other witnesses to contact;
      - (c) Review Departmental and other records available on the victims, witnesses, or suspects.
  - ii. Conduct interviews and interrogations;
  - iii. Plan, organize, and conduct searches as appropriate;
  - iv. Identify and apprehend suspect;
  - v. Check suspect's criminal history;
  - vi. Collect physical evidence;
  - vii. Process all evidence that is discovered in accordance with Departmental policy/procedure;
  - viii. Forward the results of lab tests to the original case file, the investigator, and the prosecutor if needed;
  - ix. Submit evidence photo line-ups in accordance with established procedures in Best Practices in the Law Enforcement Community and Evidence Policy.
    - (1) Photo line-ups become evidence when a witness identifies one of the photos as the suspect.
  - x. Determine involvement of suspects in other crimes;
  - xi. Obtain additional information from YCOs, informants, etc., to aid in case investigation;
  - xii. Conduct all surveillance in a lawful manner;
  - xiii. Arrange for dissemination of information as appropriate;
  - xiv. Prepare case for court presentation;
  - xv. Assist in prosecution.

5. **Victims' Rights:**

- a. Once it is determined, based upon an investigation, that a criminal offense has occurred and the victim of the criminal offense is identified and is not an in-custody juvenile, **IID** shall notify the victims of their rights in accordance with the Arizona Victims' Rights Statutes §8-386.
- b. The **IID CASE MANAGER** shall:
  - i. Generate the letter and the Victim's Rights Form to the opted-in victim(s). including the following steps:
    - (1) Fully complete sections 1-3 of the Victims' Request For, or Waiver of, Pre-Conviction and/or Pre-Adjudication Rights Form; and
    - (2) Provide the form to the victims;
  - ii. In accordance with ARS §§ 13-4405(B) and 8-386(B) if a victim is physically or emotionally unable to request/waive his/her rights, check the Request/Waiver exception box located to the right of section 4.D. of the Victims' Request For, or Waiver of, Pre-Conviction and/or Pre-Adjudication Rights Form in order to invoke the victim(s)/victims' representative rights on his/her behalf.

6. **Death Scene Investigations:**

- a. The investigation of a death may directly or indirectly involve other criminal acts. **ALL EMPLOYEES** shall adhere to the following guidelines that contain important aspects to any investigation;
- b. The **YCO INVOLVED IN THE INVESTIGATION OF ANY DEATH** shall properly report and document the following elements:
  - i. Time of arrival;
  - ii. Address of scene;
  - iii. Weather conditions;
  - iv. Lighting conditions;
  - v. Present condition of crime scene.
- c. At the outset of an investigation, the **CIU COMMANDER IN CHARGE** shall designate the primary investigator who will have the overall responsibility for the case;
- d. The investigation begins at the time of notification and the **PRIMARY INVESTIGATOR** shall document information as to when, how, and by whom.
  - i. The integrity of a homicide crime scene is paramount to ensure the detection and conviction of the suspect(s). The **SUPERVISOR OR SENIOR YCO AT A DEATH SCENE** shall:
    - (1) Assign responsibilities;
    - (2) Control scene/protect evidence;
    - (3) Coordinate activities;
    - (4) Turn over the responsibility for ensuring the integrity of a homicide scene to the investigating CIU investigator or supervisor upon his/her arrival at the scene.
- e. The **CIU INVESTIGATOR** shall ensure the crime scene log has been initiated, recording the names of all personnel at the scene;
- f. The **CIU INVESTIGATOR(S)** shall conduct and record interviews that shall include the following:
  - i. Initial interviews with:
    - (1) ADJC employees;
    - (2) Suspects;
    - (3) Witnesses; and
    - (4) Victims.
- g. The **INVESTIGATOR(S)** shall document the following elements in the appropriate report:
  - i. Location;
  - ii. Condition of body, if still present at scene;
  - iii. General examination of body;
  - iv. Determination and verification of death.
- h. If there is a suspect in custody/present, the **INVESTIGATOR(S)** shall:
  - i. Remove suspect from scene immediately;
  - ii. Safeguard all evidence found on suspect;
  - iii. Not let suspect alter his/her physical condition;
  - iv. Record any spontaneous statements;
  - v. Not permit any conversation between suspect and others;
  - vi. Safeguard weapon(s) as evidence, if located.
- i. The **INVESTIGATOR(S)** shall include the following elements in the processing of the crime scene:
  - i. Crime scene photographs and their documentation;
  - ii. Dusting for fingerprints;
  - iii. Evidence collection;
  - iv. Process;
  - v. Control;
  - vi. Close examination and documentation of deceased;
  - vii. Removal of deceased;
  - viii. Crime scene sketch;

- ix. Release of scene.

7. **Death Investigations Responsibilities:**

- a. The **PRIMARY INVESTIGATOR** shall:
  - i. Contact the Department of Public Safety Identification Division requesting a response to the scene;
  - ii. If needed, request the assistance of the secure facilities Security Team in securing the scene, and/or any other assistance in order to complete the investigation;
  - iii. Notify the on-call Maricopa County Attorney's Office Major Felony Bureau;
  - iv. Conduct and/or direct the processing of the crime scene by identification personnel;
  - v. Conduct interviews;
  - vi. Complete the yellow tag;
  - vii. Diagram the scene;
  - viii. Contact the Medical Examiner's Office to arrange transport of the body;
  - ix. Attend the autopsy;
  - x. Prepare evidence for scientific analysis;
  - xi. Complete reports and collate all case related reports; and
  - xii. Be finder/retainer on all subsequent search warrants.
- b. The **CRIME SCENE INVESTIGATOR** (which could be the Primary Investigator) shall direct the order of intrusion into the crime scene which should be but is not limited to:
  - i. **IDENTIFICATION TECHNICIANS** who shall
    - (1) Take photographs of the death scene;
    - (2) Collect and package evidence; and
    - (3) Fingerprint the scene.
  - ii. Diagramist (completed by crime scene investigator).
- c. The **FOLLOW-UP INVESTIGATOR, BACKGROUND INVESTIGATOR, OR DESIGNEE**, who has been designated by an Investigations Commander, shall:
  - i. Conduct interviews on all witnesses who were present at the time;
  - ii. Conduct complete background investigations on all primary witnesses and suspects.

8. **Autopsy:**

The **CIU INVESTIGATOR** shall:

- a. Attend the autopsy;
- b. Request identification personnel to also attend the autopsy;
- c. Ensure that all evidentiary material and property released by the Medical Examiner's Office is properly impounded.

9. **Property and Evidence - Death Investigations:**

- a. A **MEMBER OF THE INVESTIGATIVE DETAIL** shall process property/evidence seized in an investigation of a death or violent crime;
- b. **IID** shall only release or otherwise dispose of property/evidence relative to a death or violent crime investigation with the authorization of the primary case agent and/or the CIU Commander or designee.

10. **Public Information Officer - Death Investigations:**

- a. The **PUBLIC INFORMATION OFFICER** shall respond in accordance with established written guidelines;
- b. **NO ADJC EMPLOYEE INCLUDING THE PUBLIC INFORMATION OFFICER** shall release any information to anyone outside the scope of an investigation without the approval of the Director or designee.

11. If the **INVESTIGATOR** intends to arrest and book the juvenile suspect into a county jail or juvenile detention, the **INVESTIGATOR** shall:

- a. Notify the facility Health Unit directly within one hour of the transport of the juvenile to request Form 1160.02B Medical Summary;

- b. Obtain the medical summary from the health unit prior to transport of the juvenile;
- c. Take a three day supply of the juvenile's medication when going to the juvenile detention center (Adult jail will not accept any medications.);
- d. If the juvenile presents an immediate, direct danger to anyone in the facility in that transportation needs to occur without delay, notify the health unit directly of the destination and the phone number of where the juvenile will be transported.
  - i. The **QUALIFIED HEALTH CARE PROFESSIONAL (QHCP)** shall contact the receiving county jail/detention medical unit and fax the completed form 1161.01A Medical Summary.
- e. Notify the Qualified Mental Health Professional (QMHP) from the sending unit/facility. The **QMHP** shall:
  - i. Complete Form 4250G Transfer Summary; and
  - ii. Forward the summary to the receiving county jail or juvenile detention center through email or by fax.

12. **Case Clearances:**

**IID INVESTIGATORS** shall clear criminal cases by the following:

- a. Unfounded: These cases are those that have been found to be falsely reported and/or no criminal activity occurred;
- b. Arrested: Actual physical arrest and/or citation;
- c. Cleared Exceptional: Cases cleared where the suspect is known, but for whatever reasons, suspect will not be charged (i.e. victim does not desire prosecution, turndown by the County Attorney, cases used as an aid to prosecution, does not meet filing criteria of the County Attorney's Office, mutual combat, misdemeanor assault);
- d. Submitted to the County Attorney: Cases that have been submitted to the County Attorney for a complaint and the investigator is waiting a return. When returned, they revert to cases filed, turned down, returned for further investigation.
  - i. Turndown: Case does not meet County Attorney filing criteria (i.e.-no reasonable likelihood of conviction);
  - ii. Filed: Case does meet County Attorney filing criteria and will be processed through the Criminal Justice System;
  - iii. Further Investigation: Case returned to the Investigator for additional information and/or investigation.
- e. Information Only: Instances where information is received about crimes that occurred outside of ADJC jurisdiction. The information is documented and shared with the appropriate law enforcement jurisdiction.

Signature Date

5-7-08

Approved by Process Owner

John Dempsey, Inspections & Investigations Chief  
Administrator

Effective Date

8/7/08

Approved by

Michael D. Branham, Director